



267.187

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: :  
TRIFONI et al :  
Serial No.: 10/524,040 :  
Filed: February 9, 2005 :  
For: MEMBRANE ELECTROCHEMICAL: :  
GENERATOR :

New York, NY 10036

**DECLARATION**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Marcello Liotta, a citizen of Italy residing at Via della Cooperazione 117, I-20089

Rozzano, Italy, hereby deposes and says:

That he is the original and first joint inventor together with Eduardo Trifoni, a citizen of Italy residing at Via Donizetti 5, I-80127 Napoli, Italy of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MEMBRANE ELECTROCHEMICAL GENERATOR**

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to the examination of this application as defined by 37 CFR 1.56.

**FOREIGN AND DOMESTIC PRIORITY CLAIMS UNDER 35 USC 119  
AND PRIOR FOREIGN/PCT APPLICATIONS**

I hereby claim foreign or domestic priority benefits under 35 USC 119 or 365(b) for any United States provisional patent application or foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or under 35 USC 365(a) for any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY/APPLICATION NO. (if PCT, indicate "PCT")	DATE OF FILING (month/day/year)	PRIORITY CLAIMED UNDER 35 USC 119	
PCT/EP03/009554	08/28/03	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Italy/M12002A 001859	08/28/02	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
		<input type="checkbox"/> YES	<input type="checkbox"/> NO
		<input type="checkbox"/> YES	<input type="checkbox"/> NO

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

I hereby claim the benefit under 35 USC 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose material information as defined in 37 CFR 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

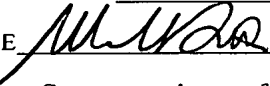
PCT/US APPLICATION NO.	PCT/US FILING DATE	PATENTED	PENDING	ABANDONED
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

That Nuvera Fuel Cells Europe S.r.l. is the Applicant in the above-identified international application.

That Nuvera Fuel Cells Europe S.r.l. acquired the invention described and claimed in the international application and the Applicant of the Italian application.

That Marcello Liotta has executed a document confirming that his rights in the invention belong to Nuvera Fuel Cells Europe S.r.l.

That the other inventor Eduardo Trifoni was named as joint inventor of the invention described and claimed in the above-identified Italian application.

INVENTOR Marcello Liotta  
INVENTOR'S SIGNATURE  DATE 6/03/2005  
RESIDENCE Via della Cooperazione 117, I-20089 CITIZENSHIP Italy  
POST OFFICE ADDRESS Rozzano, Italy